



STATE OF HAWAII
DEPARTMENT OF HEALTH
4348 Waiialae Avenue, #648
Honolulu, Hawaii 96816



Medical Use of Marijuana

Patients and Caregivers - Frequently Asked Questions

HOW THE PROGRAM WORKS?

Determine if you are eligible.

1. do you have a debilitating medical condition as identified in the law
2. do you have a physician willing to certify your condition and assist you with the application process?
3. do you have a valid ID (driver's license, state ID or passport)

Submit an application and make payment.

1. Replacement cards cost \$16.50
2. Request a replacement card ANYTIME the information on your card changes, or if your card is lost/stolen.
3. Notify DOH of any changes to your information within 10 days of occurrence.
4. Keep your registration card on you ALWAYS when you are in possession of medical marijuana.
5. Physician provides card to patient and caregiver, if applicable.
6. DOH reviews application and if complete and correct and payment confirmed then card is sent to certifying physician.
7. Physician submits application to DOH with \$38.50 by electronic payment (for the fastest turnaround time the preferred method of payment is credit card).
8. Physician, patient and caregiver (if applicable) sign certifications on application form.
9. Physician completes application form. [Click here for application information.](#)

Follow program rules and the law.

1. One caregiver per patient; one patient per caregiver.
2. One grow site per registered patient.
3. No more than 7 marijuana plants per registered patient (plants should be tagged).
4. No more than 4 ounces of usable marijuana, jointly between a registered patient and caregiver.
5. Do not use medical marijuana in a way that endangers the health or well-being of another person.
6. Do not use medical marijuana for purposes other than medical use as permitted by law.
7. Do not use medical marijuana in any moving vehicle, at any work place, on any school grounds, or in any other public place (including public parks, beaches, recreation centers).
8. Put a tag or other identification maker with the patient ID and expiry date at the base of every medical marijuana plant so they can be more easily identified as legal. (In the proposed DOH Administrative Rules, which DOH anticipates will be heard in public hearing in early 2015, "the person who has been designated to cultivate marijuana shall have a legible identification tag on each marijuana plant being cultivated for the qualifying patient". At this time, DOH is **recommending** that all plants should be identified at the base of the

plant with the Registration Card Number AND Expiration Date.)

Renew your Registration Card Annually

1. Renew up to 60 days before expiration to avoid lapse in protection.

Application Information

The Department of Health will begin accepting applications on January 2, 2015. Although the final online application system will not be completed by January 2nd, an interim system that allows for partial online submittals will be up and running at this time. As such, ALL applications must be submitted online by the primary care physician and payment of \$38.50 made via the online system.

Payment options are:

- Credit Card – has the fastest turnaround time and/or no delay for the issue of the card once the signed application is received and verified by DOH.
- Debit Card/Electronic Debit from Checking Account – there may be some delay as DOH will not issue the card until the payment has had time to clear your account or a minimum of 10 days from the electronic submittal & verification of the signed application by DOH.
- Cashier's Check or Money Order (mailed in) – has the longest turnaround time, with this option the card will be issued after a minimum of 10 days from receipt and verification of the signed application by DOH.

In addition, a hard copy of the following (herein after referenced as the **Application Packet**) must be submitted to DOH. The Application Packet includes:

1. Print out of the information/application that was submitted online.
2. Completed & Signed Certification for each section of the application that is applicable:
 - a. **Required** Certifications include:
 - qualifying patient,
 - physician, and
 - grow site attestation;
 - b. **Additional Certifications**, as applicable, include:
 - parent, guardian or legal custodian of a minor,
 - caregiver (for minor applicants, the caregiver certification is REQUIRED)
3. A copy of the valid ID used for all individuals identified on the application (for minors, a certified birth certificate is acceptable if no other valid ID is available) clearly showing both the individuals photo AND the ID number.

The Application Packet should be mailed to: Department of Health, Medical Marijuana Program, 4348 Waiialae Avenue, #648, Honolulu, Hawaii 96816

In summary, there is a two-step process for applying to the Medical Marijuana Program.

1. The first is online – and includes application and payment.
2. The second is mailing the Application Packet to DOH.

Please note that it is our intent to eliminate the second step of this process and remove the need for any items to be submitted to DOH in paper/hard copy. However, until such time that we can fully automate our application system, we appreciate your understanding for any inconvenience or delays this may cause. We want to assure you that we

will do our best to get the registration cards out as promptly as possible given the transition.

Registration Fees and Replacement Cards – The Medical Marijuana Program’s registration fee will increase commencing January 1, 2015 from \$25 to \$35 plus \$3.50 portal administration fee (total due \$38.50) and the cost to replace a lost/stolen/changed card has increased from \$10 to \$15 plus \$1.50 portal administration fee (total due \$16.50). A replacement card will be required anytime the information on your registration card changes.

Medical Marijuana Application Forms, Worksheets and Instructions:

Both the application worksheet and application worksheet instructions are for your information only and should not be submitted to DOH. Only the Application Packet, as referenced above, should be submitted to DOH effective January 2, 2015.

[Medical Use of Marijuana Applicant Certification Form](#)

[Application Packet Checklist](#)

[Application Worksheet](#)

[Application Worksheet Instructions](#)

Required Signatures and Documentation - Required signatures include 1) the qualifying patient, 2) the designated caregiver, 3) the certifying physician, and 4) the parent(s), guardian(s) or legal custodian(s), as applicable. Required documentation includes 1) a photo copy of the valid government issued identification (ID) that CLEARLY shows the photo and the ID number for each qualifying patient and caregiver, if a caregiver is designated or 2) birth certificate (for minors without valid ID).

Please note:

- IF for any reason the interim ONLINE Application system is not in place by January 1, 2015, the NEW Application should be TYPED (instead of hand written) on the computer, printed, and signed. Signatures are required for 1) the qualifying patient, 2) the designated caregiver, and 3) the certifying physician. The signed application should be submitted with the appropriate payment and/or other required documentation (i.e. clear copy of valid government issued identification or birth certificate for minor).

Registration Cards

I have an existing Medical Marijuana Registration Card that was issued by the Department of Public Safety (PSD)/Narcotics Enforcement Division (NED) and that expires in 2015, is it still good? **YES** – all cards issued by PSD will be honored and considered valid until their expiration date.

I have not applied for my renewal card just yet, is there a cutoff date to apply for renewal? **NO** – but you are only protected while the card is valid and you can apply for a renewal up to 60 days before the expiry date. Applications will be processed in the order received.

Will there be a cutoff date to submit applications to PSD? **YES** – once that date is determined, we will post it on this website.

Will the new DOH cards look the same as the PSD card? **NO** – DOH will be issuing cards that are smaller, about the size of a business card, and that resemble other medical cards. DOH medical marijuana cards will **NOT** be blue. They will be white with the DOH logo in color.

Registration Process

What do I need to register for the Medical Marijuana Program? To register, you must:

- have a qualifying [debilitating medical condition](#)
- have a physician CERTIFY your debilitating medical conditions (on the application)
- [complete an application](#)
- provide a clear copy of your valid identification (driver's license, state ID or passport)
- pay a registration fee of \$38.50 (\$35 registration fee plus \$3.50 portal administration fee)

How do I register to participate in the program? Physicians will continue to be the primary point of contact between the Department of Health (DOH) and the qualifying patient. DOH is moving toward an online application system. An interim system should be in place by January 1, 2015. The final system will not be in place until later in the year. Initially, applications must be completed online (to include submission by physician and payment by qualified participant), Certifications must be printed and signed by the patient, caregiver and physician, as applicable, and a print out of the information submitted online PLUS a signed original Certification (all that are applicable) must be mailed to DOH at: 4348 Waiālae Avenue, #648 Honolulu, Hawaii 96816. **Note: Until our new rules are approved, we require original signatures on all documents.** More information about this will be provided to Physicians currently certifying patients.

What is a “bona fide” relationship? In the proposed DOH Administrative Rules, which DOH anticipates will be heard in public hearing in early 2015, a “bona fide physician-patient relationship” means a relationship in which the physician has ongoing responsibility for the assessment, care, and treatment of a qualifying patient’s debilitating medical condition with respect to the medical use of marijuana which means:

1. The physician has completed a full assessment of the qualifying patient’s medical history and current medical condition, including conducting a review of the qualifying patient’s medical records related to the debilitating condition and conducting an in-person physical examination;
2. The physician provides follow up care and treatment to the qualifying patient and assesses the qualifying patient’s condition during the course of the qualifying patient’s medical use of marijuana; and
3. The physician maintains records of the qualifying patient’s treatment and condition in accordance with medically accepted standards.

My primary care physician (as defined by my insurance carrier) says that they cannot certify me for medical marijuana. What are my options? Since Medical Marijuana is not covered by insurance, your primary care physician for the medical use of marijuana can be a DIFFERENT physician than your primary care physician as defined by your insurance carrier. You must identify your primary caregiver for the medical use of marijuana on the DOH application.

Do I have to be a Hawaii resident? **NO** – however, you must be certified by a Hawaii-licensed physician with whom you have a “bona fide” physician-patient relationship with.

Can DOH provide a list of physician’s that are able to certify me and my condition? **NO** – DOH is not in a position to recommend any physician nor can we provide a list of participating physician’s.

Can DOH refer me to a physician? **NO** – The DOH does not serve as a referral source. Any physician (MD or DO) who is licensed to practice in Hawaii under Chapter 453, HRS, and is licensed with authority to prescribe drugs and is registered to prescribe controlled substances under Section 329-32, HRS, can certify a patient for the program, at their discretion.

Will there be new forms? **YES** – The forms currently posted on the website are NEW and include the following:

- [Application Worksheet](#) (previously titled “Application”, this form is to be used to gather information that will be submitted by the physician into the interim online system)
- [Application Worksheet Instructions](#) (previously titled “Application Instructions”, this form provides instructions on what information is required on the “Application Worksheet”)
- [Application Packet Checklist](#) (a summary of what information MUST be submitted to DOH)
- [Medical Use of Marijuana Applicant Certification Form](#) (the required “signature” pages of the Application Worksheet – basically, this is information that DOH requires that is NOT currently entered via the interim online system)

Is there a fee to register or renew? **YES** – The fee for new or renewal registration for qualifying patients is \$38.50 (\$35 registration fee and \$3.50 portal administration fee) and is non-refundable. Payments should be made online.

What types of identification cards are acceptable? DOH will accept a valid driver’s license or state photo ID card issued by any U.S. state or a current passport.

Will DOH accept partially completed applications? **NO** – The online system will not allow you to submit an incomplete application. If you mail in an application that is incomplete, it will be returned to the physician for you to correct/complete. Ultimately, this may cause a delay in your registration card being issued.

If I register, is my confidentiality protected? **YES** – All information collected on the application forms and other documents that you provide to us is confidential and not subject to public disclosure.

Will the police have access to my information? **NO** – Law enforcement may contact DOH to verify if an individual is a registered participant (patient or caregiver) in the program or verify if a specific location has been registered as a grow site. DOH will verify both the registration of an individual and the registration of a grow site location should law enforcement inquire for any official law enforcement purpose.

Changes to Application Information

Do I have to notify DOH of changes in information? **YES** – as of January 1, 2015, the law will require that qualifying patients notify DOH of changes in information within 10 working days (increased from five). The form and instructions will be available on this site when it is available.

Do I need to notify DOH if I want to change primary caregiver? **YES** – You must notify DOH of ANY CHANGE in information, including a change in primary caregiver, within 10 working days, AND you must request a replacement registration card if any of the information on your registration card changes. This includes change of name, change of caregiver’s name, change of caregiver, change of grow site location. Remember, until the new registration cards are issued, the new caregiver is not authorized to act as the patient’s primary caregiver and will not be afforded protection under the law.

How do I notify DOH of changes to the information I submitted on my application? The form and instructions will be posted on this site when it is available.

Is there a fee for a replacement registration card? **YES** – The fee for a replacement card is \$16.50, which includes the \$1.50 portal administration fee.

Can I get a new registration card if my registration card is lost or stolen? **YES** – If a registered patient or caregiver becomes aware of the theft, loss or destruction of his/her registration card, he/she should immediately notify DOH.

The form and instructions will be posted on this site when it is available.

Does the Registration Card expire? **YES** – Registration cards are valid for one year. The registration card will state the expiration date on it. Patients must renew (reapply) annually and are responsible for submitting a renewal application in a timely manner to ensure there is no gap in their registration

Minor Applicants/Qualifying Patients

Can someone under the age of 18 years old register to use medical marijuana? **YES** – A written certification from a physician for a debilitating medical condition must be obtained for the minor. In addition, the physician must have explained the potential risks and benefits to both the minor and the minor’s parent or legal guardian.

Is a caregiver required for a minor participant? **YES** – the parent, guardian or legal custodian must register as the minor participant’s primary caregiver AND consent in writing to allow the use of medical marijuana by the minor, and control the acquisition, dosage and frequency of medical marijuana use by the minor.

Is valid identification still required if the participant is a minor? **YES** – a parent, guardian or legal custodian that is applying on behalf of the minor qualifying patient may submit a birth certificate as valid identification for the minor.

Does the parent, guardian or legal custodian need to provide valid identification? **YES** – all caregivers must provide valid identification AND, in the case of minor qualifying patient, the parent, guardian or legal custodian must also attest he/she has the legal authority to make health care decisions on behalf of the minor.

In cases of joint legal custody, are both individuals required to sign the application? **YES** – anytime there is joint legal custody, and specifically if the joint legal custody is with regard to health care decisions, both individuals with legal authority are required to sign the application.

Growing Medical Marijuana

- I am not well enough or for any reason I cannot grow my own medical marijuana. Can someone else grow for me? **YES** – you may name any other individual who is willing to grow medical marijuana for you and become your caregiver. They cannot be a caregiver for anyone else at the same time. Your caregiver can grow your medical marijuana for you.
- If I’m a caregiver growing plants for a patient, should I tag the medical marijuana plants? **YES** – Whoever is designated on the application to grow the medical marijuana, should tag each plant at the base with registration number and expiry date.
- If I am found with medical marijuana in my possession, am I protected? **YES** – assuming that you have your valid medical marijuana registration card with you. You may also be asked to produce evidence of your identity – to ensure that the registration card is indeed yours – so it is recommended that you also carry the valid identification that you used to register (driver’s license, state ID, or passport, as applicable).

Marijuana Plants and Adequate Supply

- Am I allowed to grow marijuana if I am a registered patient or caregiver? **YES** – as a registered program participant, and assuming that you indicated your intent to grow your own supply of medical marijuana on your application, you are allowed to grow an “adequate supply” of medical marijuana, **not to exceed seven (7) plants** and possess no more than 4oz of usable marijuana jointly between a registered patient and caregiver.
- Where can I grow medical marijuana? Medical marijuana may be grown **only** at **ONE** of the following locations AND that location MUST be identified on your registration card:
 - the residence of the qualifying patient, OR

- the residence of the designated caregiver, OR
- another site that is either owned or controlled by the qualifying patient or the designated caregiver.

The “grow site” must be designated with DOH when registering or via a notification of change if already registered.

- Can I keep my plants in two locations? **NO** – you must designate a **single grow site** if you intend to grow medical marijuana.
- Should I tag my plants? In the proposed DOH Administrative Rules, which DOH anticipates will be heard in public hearing in early 2015, “the person who has been designated to cultivate marijuana shall have a legible identification tag on each marijuana plant being cultivated for the qualifying patient”. At this time, DOH is **recommending** that all plants should be identified at the base of the plant with the Registration Card Number AND Expiration Date. More information in this regard will be posted on this site once the DOH rules are approved.
- Does Hawaii have a dispensary system? **NO** – the law is silent in this regard and there is no formal system with regard to the dispensing of medical marijuana. Currently, there is a Task Force that is looking into the feasibility of establishing a dispensary system for Medical Marijuana Program participants. [You can get more information by clicking here.](#)
- Where can I get a supply of medical marijuana once I’m registered? DOH is not a resource for access to marijuana and does not have information to give to patients. At this time, there are no legal means to purchase marijuana or marijuana seeds or plants.

Restrictions

Is there anywhere that I cannot use medical marijuana? **YES** – all public places and any moving vehicles. For a more detailed listing, please see part IX [HRS-329– 122.](#)

Choosing a Caregiver

Can my caregiver be someone under the age of 18? – **NO** – a caregiver must be someone that is at least 18 years old who has agreed to undertake responsibility for managing the well-being of the qualifying patient with respect to the medical use of marijuana.

As a patient, can I have more than one caregiver? **NO** – each qualifying patient can have only one caregiver.

Does the caregiver need to be identified on the application? **YES** – Caregivers must be designated by the qualifying patient on the application and registered with DOH in the Medical Marijuana Program.

Caregiver Information

Can I be a caregiver for more than one patient? **NO** – Caregivers may only have one patient at any given time.

I’ve been asked to be a caregiver, do I have to register separately from the patient that I am caring for? **NO** – the qualifying patient must designate their caregiver on their application. At that time, all necessary registration information on the caregiver must be provided including a clear photocopy of their valid ID (driver’s license, state ID or passport) AND the caregiver must sign the application form.

As a caregiver, will I be required to pay a registration fee? **NO** – the qualifying patient will pay a single fee \$38.50 for initial and renewal applications (\$35 plus \$3.50 portal administration fee) or \$16.50 for a replacement or duplicate

card. This fee covers both of your registration cards.

The patient that I am caring for decided to change caregivers, am I still protected? **NO** – once the qualifying patient notifies DOH of their intent to change caregivers, DOH will invalidate both your card and the patient’s card. Although the qualifying patient will be issued a new card, along with the NEW caregiver, the original caregiver (you) will not be protected.

As a caregiver, am I allowed to use medical marijuana? **NO** – as a caregiver, 1) you **may** grow medical marijuana on behalf of the qualifying patient **if** so designated by the qualifying patient on the application and 2) you **must** attest that you agree to undertake the responsibility for managing the well-being of the qualifying patient with respect to the medical use of marijuana.